Remarks

Applicant has canceled claims 1-26 and presented new claims 27-41, which correspond to original claims 20-22 and 24-26 (i.e., restriction group IV). The claims have been amended in this way to present a clean set of claims. More specifically, new claims 27-35 are directed to antibodies (corresponding to original claims 20-22), new claims 36-39 are directed to kits (corresponding to original claim 24), and new claims 40-41 are directed to hybridomas (corresponding to original claims 25-26).

In addition, new claims 42 and 43 are presented, which correspond to original claim 23 directed to a method for detecting a polypeptide (i.e., restriction group V). As noted in paragraph 8 of the restriction requirement, claims directed to a method of use of a product, which claims are dependent from the product or include all limitations of the product claim, may be added as a matter of right. In a conversation with the Examiner of February 11, 2005, the Examiner agreed with Applicant's representative that adding such claims at this time seemed proper. Applicant therefore has added new claims 42 and 43, which depend from product claims 27 and 29.

No new matter has been added by these amendments.

Conclusion

In view of the foregoing amendments, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted, Birkenbach et al., Applicant

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Docket No. B0801.70226US01 Date: February // , 2005

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